

Notice of Allowability	Application No.	Applicant(s)
	09/608,130	SHAHOIAN, ERIK J.
	Examiner	Art Unit
	Jean E. Lesperance	2674

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

- This communication is responsive to the supplemental amendment after final rejection filed February 22, 2005.
- The allowed claim(s) is/are 10-13, 15-17 and 26-38, and renumbered as 1-20.
- The drawings filed on _____ are accepted by the Examiner.
- Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - All
 - Some*
 - None
 of the:
 - Certified copies of the priority documents have been received.
 - Certified copies of the priority documents have been received in Application No. _____.
 - Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

- A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
- CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - hereto or 2) to Paper No./Mail Date 8/3/2002.
 - including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
- DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- Notice of References Cited (PTO-892)
- Notice of Draftperson's Patent Drawing Review (PTO-948)
- Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
- Examiner's Comment Regarding Requirement for Deposit
of Biological Material
- Notice of Informal Patent Application (PTO-152)
- Interview Summary (PTO-413),
Paper No./Mail Date _____
- Examiner's Amendment/Comment
- Examiner's Statement of Reasons for Allowance
- Other _____.

Henry N. Tran
HENRY N. TRAN
PRIMARY EXAMINER

DETAILED ACTION

1. The amendment filed February 22, 2005 is entered.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Bret T. Winterle (Reg. No. 54,546) on May 23, 2005.

Amend claims 10, 11 and 31 as follows: (See Attached Paper).

Regarding claim 10, please delete in lines 1 and 2 "An actuator for an input device comprising:" and insert --A computer input device comprising an actuator, which comprises:--.

Regarding claim 11, please delete in line 1 "An actuator for an input device comprising:" and insert --A computer input device comprising an actuator, which comprises:--.

Regarding claim 31, please delete in line 1 "An actuator for an input device comprising:" and insert --A computer input device comprising an actuator, which comprises:--.

Allowable Subject Matter

3. Claims 10-13, 15-17 and 26-38 are allowed.
4. The following is an examiner's statement of reasons for allowance: the claimed invention is directed to a computer input device comprising an actuator.

Independent claim 10 identifies a uniquely distinct feature "an elastic material disposed in said gap and configured to limit a range of motion of said magnet in said degree of freedom, wherein: said core member comprises a first curved surface; said magnet comprises a second curved surface; and said elastic material is disposed in a gap formed between said first curved surface and said second curved surface".

Independent claim 11 identifies a uniquely distinct feature "a magnet positioned so as to provide a gap between said core member and said magnet; and a first flexible member attached to said core member and said magnet and configured to limit a range of motion of said magnet".

Independent claim 31 identifies a uniquely distinct feature "a magnet positioned so as to provide a gap between said core member and said magnet; and a ground member attached to said core member; and a first flexible member attached to said core member and said magnet and configured to limit a range of motion of said magnet".

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Burrus (4,266,785), Sakai (4,839,544), Yuan et al. (6,069,417), Brown et al. (4,638,830) and Champagne et al. (5,023,861).

The closest arts, Burrus, Sakai, Yuan et al., Brown et al. and Champagne et al. as discussed above, either singularly or in combination, fail to anticipate or render obvious the above limitations obvious.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean Lesperance whose telephone number is (571) 272-7692. The examiner can normally be reached on from Monday to Friday between 10:00AM and 6:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard, can be reached on (571) 272-7603.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the technology Center 2600 Customer Service Office

Art Unit: 2674

whose telephone number is (703) 306-0377.

Jean Lesperance

Art Unit 2674

Date 5/24/2005

Henry N. Tran
HENRY N. TRAN
PRIMARY EXAMINER 6/27/05

please
enter
6/27/05
WT

10. (Currently Amended) [An actuator for an input device comprising:] A computer input device comprising an actuator, which comprises: a core member, having a central projection; a coil wrapped around said central projection; a magnet positioned so as to provide a gap between said core member and said magnet and operable to move in a degree of freedom relative to said core member; and an elastic material disposed in said gap and configured to limit a range of motion of said magnet in said degree of freedom, wherein; said core member comprises a first curved surface; said magnet comprises a second curved surface; and said elastic material is disposed in a gap formed between said first curved surface and said second curved surface.

11. (Currently Amended) [An actuator for an input device comprising:] A computer input device comprising an actuator, which comprises: a core member having a central projection; a coil wrapped around said central projection; a magnet positioned so as to provide a gap between said core member and said magnet; and a first flexible member attached to said core member and said magnet and configured to limit a range of motion of said magnet.

31. (Currently Amended) [An actuator for an input device comprising:] A computer input device comprising an actuator, which comprises: a core member, having a central projection; a coil wrapped around said central projection; a magnet positioned so as to provide a gap between said core member and said magnet; and a ground member attached to said core member; and a first flexible member attached to said core member and said magnet and configured to limit a range of motion of said magnet.